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## SKILL DEVELOPMENT & TECHNICAL EDUCATION DEPARTMENT

### NOTIFICATION

The 21st August, 2023

No.6060—SDTE-EMPL-ESTT-0016/2021/SDTE.— In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of the Odisha Employment Service Class-II (Recruitment and Conditions of Service) Rules, 1990; the Odisha Employment Service, Class I (Junior Branch) (Recruitment and Appointment by Promotion) Rules, 1990, the Odisha Employment Service Group-A(Senior Branch) (Recruitment and Conditions of Service) Rules, 1998 and all Orders, Rules, Regulations and instructions issued in this regard except as respect things done or omitted to be done before such supersession, the Governor of Odisha is pleased to make the following rules to regulate the method of recruitment and conditions of service of the persons appointed to the Odisha Skill Development & Employment Service.

### PART-I

#### GENERAL

**1. Short title and commencement.-** (1) These rules may be called the Odisha Skill Development & Employment Service (Methods of Recruitment and Conditions of Service) Rules, 2023.

(2) They shall come into force on the date of their publication in the *Odisha Gazette*.

**2. Definitions.-** (1) In these rules, unless the context otherwise requires,—

- (a) “Commission” means the Odisha Public Service Commission;
- (b) “Committee” means the Departmental Promotion Committee constituted under rule 8;
- (c) “Department” means the Skill Development & Technical Education, Odisha.

- (d) “Ex-Servicemen” means a person as defined in Clause (b) of rule 2 of the Odisha Ex-Servicemen (Recruitment to State Civil Services and Posts) Rules, 1985;
- (e) “Government” means the Government of Odisha;
- (f) “Persons with Disabilities” mean persons who have been granted a Disability Certificate by the Competent Authority as per the provisions of the Rights of Persons with Disability Act, 2016;
- (g) “Scheduled Castes and Scheduled Tribes” shall have reference to the Scheduled Castes and Scheduled Tribes specified in the Constitution (Scheduled Castes) Order, 1950 and the Constitution (Scheduled Tribe) Order, 1950 as the case may be, made under Article 341 and 342 of the Constitution of India, respectively, or amended from time to time;
- (h) “SEBC” means the Socially and Educationally Backward Classes as referred to in clause (a) of Section 2 of the Odisha State Commission for Backward Classes Act, 1993;
- (i) “Service” means the Odisha Skill Development-*cum*-Employment Service;
- (j) “Sportsperson” means a person who is eligible to be issued with an identity card as a sportsperson by the Director of Sports as per Resolution No.24808/Gen. dated 18th November, 1985 of General Administration Department as amended from time to time; and
- (k) “Year” means the Calendar Year.

(2) All other words and expressions used in these rules but not specifically defined shall, unless the context otherwise requires, have the same meaning as respectively assigned to them in the Odisha Service Code.

**3. Constitution of Service.—** (1) The Service shall consist of the following grades, namely:-

- (a) Skill Development-*cum*-Employment Officer;
  - (b) District Skill Development-*cum*-Employment Officer;
  - (c) Deputy Director of Skill Development-*cum*-Employment Officer;
  - (d) Joint Director of Skill Development-*cum*-Employment Officer; and
  - (e) Additional Director of Skill Development-*cum*-Employment Officer.
- (2) Each grade of the service shall constitute a separate cadre.

## PART-II

### METHOD OF RECRUITMENT

**4. Method of Recruitment.**— (1) Subject to the other provisions made in these rules, the recruitment to different grades in the service shall be made by the following methods, namely:-

- (a) In respect of the grade of Skill Development-*cum*- Employment Officer shall be made by way of direct recruitment through a combined competitive recruitment examination to be conducted by the Commission in accordance with Odisha Civil Services (Combined Competitive Recruitment Examination) Rules, 1991 and promotion from the Cadre of Junior Employment Officer; and
  - (b) In respect of the grades of Additional Director of Skill Development-*cum*- Employment Officer, Joint Director of Skill Development-*cum*- Employment Officer, Deputy Director of Skill Development-*cum*- Employment Officer and District Skill Development-*cum*- Employment Officer shall be made by way of promotion from Joint Director of Skill Development-*cum*- Employment Officer, Deputy Director of Skill Development-*cum*- Employment Officer, District Skill Development-*cum*- Employment Officer and Skill Development-*cum*- Employment Officer respectively.
- (2) (a) As nearly as but not more than 50% (fifty per centum) of the post of Skill Development-*cum*-Employment Officer shall be filled up by way of promotion from among the Ministerial Officers and Junior Employment Officers of Directorate of Employment and other field offices under administrative control of the Director of Employment, Odisha, Bhubaneswar carrying a Scale of Pay at Level -9 and above as per Pay matrix under ORSP Rules, 2017 & have worked for a minimum period of three years and having educational qualification of bachelor degree in any discipline from a recognized University and
- (b) As nearly as but not less than 50% (fifty per centum) of the post of Skill Development-*cum*-Employment Officer shall be filled up by direct recruitment through a combined competitive recruitment examination to be conducted by the Commission.
- (3) For consideration of promotion to the service under clause (a) of sub-rule (2) of rule 4, a common gradation list of eligible officers shall be prepared based on their date of appointment to their respective posts as on 1st day of January of the concerned year:

Provided that the *Inter se*-Seniority fixed in their respective cadre shall not be violated:

Provided further that in case, the date of appointment of two or more officers happens to be the same, the person elder in age shall be placed above the younger.

**5. Reservations.**— Notwithstanding anything contained in these rules, reservation of vacancies or posts, as the case may be, for candidates belonging to,-

(a) Scheduled Castes and Scheduled Tribes shall be made in accordance with the provisions of the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made there under, or any other law or rule in force at the relevant time; and

(b) SEBC, Women, Sportsperson, Ex-Servicemen and Persons with Disabilities shall be made in accordance with the provisions made under such Act, rules, orders or instructions issued in this regard by the Government from time to time.

### **PART-III**

#### **DIRECT RECRUITMENT**

**6. Recruitment Procedure.**- (1) Recruitment to the post of Skill Development-cum-Employment Officer in the service shall be conducted by the Commission by way of a competitive examination to be held once in a year as per the requisition of the Department.

(2) The date on which and the places at which the examination are to be held shall be fixed by the commission.

(3) The eligibility criteria, standard, syllabus and subjects of examination shall be as provided in the Odisha Civil Services (Combined Competitive Recruitment Examination) Rules, 1991.

(4) The vacancies shall be determined by the Department annually and communicated to the Commission.

## PART-IV

### PROMOTION

- 7. Eligibility Criteria for Promotion.-**(1) Every Skill Development-*cum*-Employment Officer appointed in the service shall be eligible for promotion to the post of District Skill Development-*cum*-Employment Officer, on completion of three years of continuous service, including the period of probation as on the first day of January of the year in which the Committee meets.
- (2) No District Skill Development-*cum*-Employment Officer in Group-A (Junior Branch) shall be eligible for promotion to the post of Deputy Director of Skill Development-*cum*- Employment Officer in Group-A (Senior Branch) unless he/she has completed one year of continuous service in the post of District Skill Development-*cum*-Employment Officer as on the first day of January of the year in which the Committee meets.
- (3) The post of Joint Director of Skill Development-*cum*-Employment Officer in Group-A (Super-time Grade) shall be filled up by way of promotion from the amongst the post of Deputy Director of Skill Development-*cum*-Employment Officer in Group-A (Senior Branch) on the basis of merit and suitability with due regard to seniority.
- (4) The post of Additional Director of Skill Development-*cum*-Employment Officer in Group-A (Super-Administrative Grade) shall be filled up by promotion from the amongst the post of Joint Director of Skill Development-*cum*-Employment Officer in Group-A (Super-time Scale) on the basis of merit and suitability with due regard to seniority.
- 8. Constitution of Committee or Selection Board.-** (1) There shall be constituted a Departmental Promotion Committee consisting of the following members to consider the cases for promotion to the rank of Additional Director of Skill Development-*cum*-Employment Officer, namely:-
- (i) Chief Secretary or Development Commissioner : Chairman;
- (ii) Principal secretary or  
Secretary to Government, : Member;  
Skill Development & Technical Education  
Department
- (iii) Director of Employment, Odisha, Bhubaneswar. : Member;

- (iv) Additional Secretary or Joint Secretary to Government, Skill Development & Technical Education Department. : Member Convener.

(2) There shall be constituted another Departmental Promotion Committee consisting of the following members to consider the cases of selection or promotion to the post of Skill Development-*cum*-Employment Officer, District Skill Development-*cum*-Employment Officer, Deputy Director of Skill Development Employment Officer and Joint Director of Skill Development-*cum*-Employment Officer, namely:—

- (i) Principal Secretary or Secretary to Government, Skill Development & Technical Education Department : Chairman;
- (ii) Director of Employment, Odisha, Bhubaneswar. : Member;
- (iii) Additional Secretary or Joint Secretary or Deputy Secretary to Government, Skill Development & Technical Education Department. : Member Convener.

(3) For filling up of posts of Skill Development-*cum*-Employment Officer & District Skill Development-*cum*-Employment Officer a representative of the S.T. & S.C. Development Department shall be a member of the Departmental Promotion Committee.

(4) The recommendation of the Committee, as the case may be, shall be valid and can be operated upon notwithstanding the absence of any one of its members other than the Chairman:

Provided that the member so absenting was duly invited to attend the meeting of the Committee and the majority of members constituting the Committee attended the meeting.

**9. Procedure for Selection by the Committee or Board.**-(1) The Committee or Board shall ordinarily meet at least once in each year to prepare a list of eligible officers, as are

held by them, suitable for promotion to the next higher grade taking into account the existing vacancies and the anticipated vacancies of the year.

(2) The Committee while considering the promotion cases of suitable officers and preparation of the list shall follow the provisions of

- a. the Odisha Reservation of Vacancies in Posts and Services (for Scheduled Castes and Scheduled Tribes) Act, 1975 and the rules made thereunder,
- b. the Odisha Civil Services (Zone of Consideration for Promotion) Rules, 1988,
- c. the Odisha Civil Services (Criteria for Promotion ) Rules, 1992
- d. and the Odisha Civil Services (Criteria for Appointment including Promotion) Rules, 2003:

**10. Consultation with the Commission.-** (1) The recommendations of the committee under sub-rule (2) of rule-9 shall be referred to the Commission along with service particulars in respect of all officers included in the list of concurrence including those whose cases have not been recommended for promotion being found unsuitable.

(2) The Commission shall consider the list received along with the service particulars received under sub-rule (1) and shall furnish its recommendations to the Government with the lists of persons for appointment to different cadres or levels in the Service by promotion.

**11. Select List.-** (1) The recommendations of the Commission in respect of reference made to it under sub-rule (1) of rule-10, after being approved by Government, shall be form the select list for appointment to respective grades of the service.

(2) The Select List referred to under sub-rule (1) shall ordinarily remain in force for a period of one year from the date of its approval by the Government or until another Select List is prepared afresh whichever is earlier:

Provided that the Government may, at any time in consultation with the Commission, for the grave lapse in conduct or deterioration in the standard of performance of duties on the part of any person included in the Select List, remove the name of such persons from the list.

(3) Appointments for promotion to different grades in the service shall be made in the order in which their names appear in the select list prepared under rule-11.

## PART-V

### OTHER CONDITIONS OF SERVICE

**12. Appointment to the Service.-** (1) Appointment to the Service by direct recruitment shall be made in the order in which the names of the persons appear in the select list furnished by the Commission.

(2) Appointment to the Service by promotion shall be made in the order in which the names of the persons appear in the select list under rule-11.

**13. Probation and Confirmation.-** (1) Every person appointed by way of direct recruitment shall be on probation for a period two years and when appointed on promotion shall be on probation for a period of one year from the date of joining in the post:

Provided that the Government may, if they think fit, extend the period of probation by such period of reasons to be recorded in writing under intimation to the person concerned or terminate the appointment on the ground of unsatisfactory performance.

The period of probation shall not include the following namely:-

- (a) Extraordinary leave; or
- (b) Period of unauthorized absence; or
- (c) Any other period held to be not being on actual duty.

**14. *Inter se*-seniority.-**(1) The *Inter se*-Seniority of officers appointed to the service shall be in the following order,-

(a) In the case of direct recruitment, the seniority of the candidates appointed out of a select list in a calendar year shall be arranged in the order in which their name appears in the merit list and shall be fixed in the said calendar year in which the appointment order is issued;

(b) In the case of promotional recruitment, the seniority of the promoted officers or employees in a calendar year shall be arranged in the order in which their names appear in the select list and shall be fixed in the said calendar year in which the promotion order is issued; and

(c) The persons appointed by promotion shall en-block be senior to those appointed by direct recruitment in that year, where the posts are being filled up both by the way of promotion and direct recruitment.

**15. Training.**-A person appointed by direct recruitment by the commission in the post of Skill Development-*cum*-Employment Officer, during their period of probation, will undergo three months of training at Gopabandhu Academy of Administration, Bhubaneswar.

**16. Other Conditions of Service.**-The conditions of service with regard to matters not covered by these rules shall be the same as are or as may from time to time prescribed by the State Government.

**17. Departmental and Professional Examination.**- Every member of the service shall be liable to pass the prescribed Departmental and Professional Examination during the period of probation.

## **PART-VI**

### **MISCELLANEOUS**

**18. Relaxation.** When it is considered by the Government that it is necessary or expedient to do in the public interests, it may, by order of, for reasons to be recorded in writing, relax any of the provisions of these rules in respect of any class or category of officers in consultation with the Commission.

**19. Interpretation.**-If any question arises relating to the interpretation of these rules, it shall be referred to the Government in Skill Development & Technical Education Department, whose decision thereon shall be final.

**20. Power to issue instructions.**- The Government issue such instructions not inconsistent with the provisions of these rules as they may consider necessary to regulate the matters not specifically covered by the provisions of these rules.

By Order of the Governor

USHA PADHEE

Principal Secretary to Government